

AMENDATORY SECTION (Amending Order 02-298, filed 12/13/02, effective 1/13/03)

**WAC 232-12-073 ((Advanced hunter education.)) Master hunter program.** (1) In order to ((provide for additional hunting opportunity, on species,)) effectively manage wildlife in areas((7)) or at times when a higher proficiency and demonstrated skill level ((is)) are needed for resource protection or public safety, the department establishes the ((advanced)) master hunter ((education)) program. ((Persons who successfully pass the master hunter level of advanced hunter education are entitled to exercise the privileges of participation in special hunts restricted to master hunters. It is unlawful for any person to participate in a hunt restricted to master hunters if such person has not successfully passed the advanced hunter education master hunter course and such person possesses a valid master hunter identification card while participating in such a hunt, and it is unlawful to participate in a hunt restricted to master hunters if the person's master hunter status has been suspended or revoked. Violation of this subsection shall be enforced under RCW 77.15.400 (1)(c) for wild birds, RCW 77.15.410 (1)(b) for big game, and RCW 77.15.430 (1)(b) for wild animals other than big game.

(2) The advanced hunter education program has three levels, with the following proficiency requirements:

(a) Sharpshooter education: This program emphasizes marksmanship, with the goal of humanely killing game animals with the least number of shots. Successful graduates of the sharpshooter course must demonstrate above average shooting skills. The cost of applying for sharpshooter education is five dollars, and on successfully passing sharpshooter education each graduate will receive a certificate of completion and an advanced hunter education patch.

(b) Conservationist education: This program emphasizes habitat restoration and land use practices that maximize protection for wildlife. Successful graduates of the conservationist course will have spent a minimum of twelve hours participating in landowner-sportsman or wildlife-related projects. The cost of applying for conservationist education is five dollars, and on successfully passing conservationist education each graduate will receive a certificate of completion and an advanced hunter education patch.

(c) Master hunter education: In addition to both sharpshooter and conservationist education, the master hunter program emphasizes ethical behavior while hunting, a detailed knowledge of hunting statutes and rules, and specialized knowledge in how to hunt in damage control hunts that successfully remove problem animals while maximizing public safety. Both extensive home study and passing a

~~rigorous test are prerequisites for achieving the master hunter graduate status. The cost of applying for master hunter education is twenty dollars, and on successfully passing master hunter education each graduate will be issued)~~)

(2) The master hunter program emphasizes safe, lawful, and ethical hunting practices. Two of the program's goals are to improve the public's perception of hunting and to perpetuate the highest hunting standards. Master hunters actively participate in controlled hunts to eliminate problem animals that damage property and/or threaten public safety.

(a) The cost of applying for the master hunter program is twenty dollars. The department will determine the program's prerequisites and curriculum. The department may establish an advisory group to assist agency staff in developing the prerequisites and curriculum.

(b) Master hunter candidates who successfully complete the master hunter program will receive a certificate, ((an advanced)) a master hunter ((education)) patch, and a master hunter identification card. The master hunter identification card is valid for five consecutive years from the date of issuance. The card will be renewed for an additional five years if, during the period of validity, the master hunter ((education graduate)) completes ((twelve hours of conservationist education, consisting of participating in landowner-sportsman or wildlife-related projects)) forty hours of additional master hunter program requirements as determined by the department.

(3) Master hunters are held to the highest ethical standards ((while hunting, and are expected to respect all recreational and trapping laws. Accordingly, should a master hunter violate the trapping or recreational fishing or hunting laws, that person's master hunter status will be suspended or revoked as provided in this subsection)) because these hunters are ambassadors for the department and are role models and mentors for the hunting community and for the public at large. As such, current advanced hunters must apply to be master hunters. Applicants must submit to a criminal background check. Applicants who have prior wildlife or trespassing-while-hunting convictions within the last ten years, or prior felonies prohibiting the possession of firearms (unless firearm possession is reinstated), or who have a current hunting license suspension in another state, cannot apply for the master hunter program.

(a) Individuals who successfully complete the master hunter program must obey all laws and regulations. Master hunters will be required to sign and abide by a hunter code of ethics in addition to all department laws and regulations.

(b) Persons who successfully pass the master hunter program and maintain the requirements set forth in this section are entitled to participate in special hunts. These hunters must possess a valid master hunter identification card while participating in the hunts. Master hunters who are convicted of wildlife misdemeanors, gross misdemeanors, or felonies; trespassing while hunting; or reckless endangerment involving hunting weapons,

will be removed from the master hunter program for life. Master hunters who commit wildlife infractions may be removed from the master hunter program for up to a five-year period.

(c) The department's master hunter coordinator will maintain open communications with landowners and the community to investigate complaints about master hunters or the master hunter program. If a master hunter is charged with a wildlife or trespassing violation that does not result in a conviction, or an ethical violation that does not rise to a criminal law or regulation violation, a master hunter peer review committee, selected by the advisory group, will evaluate the behavior to decide whether it was egregious. If the committee deems the behavior egregious, the department may suspend the violator's master hunter privileges for any amount of time, up to and including life.

~~((The grounds for suspension and revocation are proof by a preponderance of the evidence that the master hunter has committed a violation of law. A criminal conviction is a rebuttable presumption that the violation occurred.))~~ (d) Any person who has his or her master hunter ((status revoked or)) privileges suspended under this subsection has the right to an administrative hearing to contest the agency action((, and)). Such hearing will be held pursuant to chapter 34.05 RCW, the Administrative Procedure Act.

~~((a) A two-year suspension of master hunter status will be imposed for any hunting or hunting related violation.~~

~~(b) A five-year suspension of master hunter status and a requirement to retake the master hunter course will be imposed for:~~

~~(i) Any conviction resulting in a suspension of recreational hunting or fishing privileges or in a trapping privilege suspension;~~

~~(ii) Any violations that involve two big game animals; or~~

~~(iii) Any violation that involves twice or more the daily limit of game or fish.~~

~~(c) A lifetime revocation of master hunter status will be imposed for:~~

~~(i) Any conviction resulting in a second suspension of hunting or fishing privileges or in a second trapping privilege suspension;~~

~~(ii) Any violation while recreational hunting or fishing privileges, trapping privileges, or master hunter status is suspended; or~~

~~(iii) Any violations that involve three or more big game animals.))~~ (e) "Conviction," as used in this section, is defined in RCW 77.15.050.

(4) It is unlawful for any person to participate in a hunt restricted to master hunters if such person has not successfully passed the master hunter course and maintained the requirements set forth in this section, or if the person's master hunter privileges have been suspended. Violation of this subsection shall be enforced under RCW 77.15.400 for wild birds, RCW 77.15.410 for big game, and RCW 77.15.430 for wild animals other than big game.